



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/816,949

04/05/2004

Michael Rooke

60091.00284

2406

32294 7590 03/30/2007
SQUIRE, SANDERS & DEMPSEY L.L.P.
14TH FLOOR
8000 TOWERS CRESCENT
TYSONS CORNER, VA 22182

EXAMINER

LY, NGHI H

ART UNIT

PAPER NUMBER

2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
--	-----------	---------------

3 MONTHS

03/30/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/816,949	Applicant(s) ROOKE ET AL.	
	Examiner Nghi H. Ly	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-66 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2617

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-66 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Art Unit: 2617

4. Claims 1, 2, 4, 5, 8, 9, 11-20, 22, 23, 26, 27, 29-38, 40, 41, 44-46, 48, 49, 52, 53, 55-60, 65 and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Valloppillil (US 2004/0092272A1) in view of Karlsson et al (US 2003/0027572A).

Regarding claims 1, 19, 37, 40, 41, 45, 60, 65 and 66, Valloppillil teaches a apparatus (see Abstract), the arrangement comprising: a first system entity providing a multimedia messaging service to user equipment connected to a network of a system (see [0014]), and a second system entity providing a value added service (see [0076]) to a user of the user equipment via the multimedia messaging service (see [0014]), wherein the first system entity is configured to send a message to the second system entity (see [0066] and [0101]).

Valloppillil does not specifically disclose wherein the message comprises roaming information about the user equipment.

Karlsson teaches wherein the message comprises roaming information about the user equipment (see [0035] and [0048]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Karlsson into the system of Valloppillil in order to reduce paging congestion in the network (see Karlsson, Abstract).

Regarding claims 2, 20, 38, 46 and 56, the combination of Valloppillil and Karlsson further teaches the roaming information comprises a roaming status configured to indicate whether the user equipment is roaming outside a home network of the user equipment (see Karlsson, [0034]).

Regarding claims 4, 22, 27 and 48, Valloppillil and Karlsson further teaches the

Art Unit: 2617

second system entity is configured to use the roaming information when providing a value added service to the user equipment (see Karlsson, [0035]).

Regarding claims 5, 23 and 49, the combination of Valloppillil and Karlsson further teaches the second system entity is configured to adapt, based on the roaming information (see Karlsson, [0031]).

Regarding claims 8, 26 and 52, Valloppillil teaches the second system entity is configured to determine, based on the roaming information, whether the value added service is providable to the user equipment (see [0034]).

Regarding claims 9 and 53, Valloppillil further teaches the second system entity is configured to select a route or a destination of at least one multimedia message to be delivered to the user of the user equipment according to the roaming information (see [0014]).

Regarding claims 11, 29 and 55, the combination of Valloppillil and Karlsson teaches the second system entity is configured to determine charging related information according to the roaming information and to add the charging related information to at least one multimedia message to be delivered to the user equipment (see Karlsson, [0035]).

Regarding claims 12 and 30, the combination of Valloppillil and Karlsson further teaches the first system entity is configured to send the message comprising the roaming information about the user equipment to the second system entity in response to a request received from the second system entity (see Karlsson, [0035] and [0048]).

Art Unit: 2617

Regarding claims 13 and 31, the combination of Valloppillil and Karlsson further teaches the first system entity is configured to obtain information about a location of the user equipment from another system entity and to determine the roaming information on the user equipment according to the obtained location information before sending the message comprising the roaming information about the user equipment to the second system entity (see Karlsson, [0035] and [0048]).

Regarding claims 14, 15, 32, 33, 42, 43, 57 and 58, the combination of Valloppillil and Karlsson further teaches the message comprising the roaming information about the user equipment is an multimedia message interface message (see Karlsson, [0035] and [0048]).

Regarding claims 16, 34 and 44, Valloppillil further teaches the first system entity comprises a multimedia messaging service center (see [0014]).

Regarding claims 17, 35 and 59, Valloppillil further teaches the second system entity comprises a multimedia messaging service value added service application (see [0014]).

Regarding claims 18 and 36, Valloppillil further teaches the user equipment comprises a mobile station (see fig.1, mobile station 3).

5. Claims 6, 7, 24, 25, 50, 51 and 61-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Valloppillil (US 2004/0092272A1) in view of Karlsson et al (US 2003/0027572A) and further in view of Fenton et al (US 2003/0193967A1).

Regarding claims 6, 24, 50, 61 and 63, the combination of Valloppillil and

Karlsson teaches claims and 19. The combination of Valloppillil and Karlsson does not specifically disclose the second system entity is configured to encrypt or decrypt at least part of the content of the at least one multimedia message to be delivered to the user equipment according to the roaming information.

Fenton teaches the second system entity is configured to encrypt or decrypt at least part of the content of the at least one multimedia message to be delivered to the user equipment according to the roaming information (see [0036]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Fenton into the system of Valloppillil and Karlsson in order to process the multimedia message using a customized process (see Fenton, Abstract).

Regarding claims 7, 25, 51, 62 and 64, the combination of Valloppillil and Karlsson teaches claims 1, 19, 37, 45 and 60. The combination of Valloppillil and Karlsson does not specifically disclose the second system entity is configured to use digital rights management to perform the encryption or decryption by using digital rights management.

Fenton teaches the second system entity is configured to use digital rights management to perform the encryption or decryption by using digital rights management (see [0036]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Fenton into the system of

Valloppillil and Karlsson in order to process the multimedia message using a customized process (see Fenton, Abstract).

6. Claims 3, 10, 21, 28, 39, 47 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Valloppillil (US 2004/0092272A1) in view of Karlsson et al (US 2003/0027572A) and further in view of Elizondo (US 6,917,813).

Regarding claims 3, 21, 39 and 47, the combination of Valloppillil and Karlsson teaches claims 1, 19, 37 and 45. The combination of Valloppillil and Karlsson does not specifically disclose the roaming information comprises an address of a switching centre which the user equipment is using.

Elizondo teaches the roaming information comprises an address of a switching centre which the user equipment is using (see column 2, lines 18-21).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Elizondo into the system of Valloppillil and Karlsson in order to provide SMS service when different SS7 signaling networks are in use (see [0012]).

Regarding claims 10, 28 and 54, the combination of Valloppillil, Karlsson and Elizondo further teaches the second system entity is configured to determine a location of the user equipment (see Elizondo, Abstract and column 2, line 66 to column 3, line 2) according to the address of the switching center that the user equipment is using and provide the user equipment with information relating to the determined location (see Elizondo, column 2, lines 18-21).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (571) 272-7911. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nghi H. Ly

